

United States District Court

for

Middle District of Alabama

Request for Modifying the Conditions or Term of Supervision with Consent of the Offender

Name of Offender: Harold Wilson Young

Case Number: 2:20-cr-00045-RAH

Name of Sentencing Judicial Officer: The Honorable Paul S. Diamond, U.S. District Judge, Eastern District of Pennsylvania; assigned to The Honorable Andrew L. Brasher, U.S. District Judge, on January 22, 2020; reassigned to The Honorable R. Austin Huffaker, U.S. District Judge, on October 21, 2020.

Date of Original Sentence: June 9, 2016

Original Offense: Wire Fraud

Original Sentence: 46 months imprisonment followed by a five-year term of supervised release.

Type of Supervision: Supervised Release

Date Supervision Commenced: September 13, 2019

PETITIONING THE COURT

- ☐ To extend the term of supervision for _____ years, for a total term of _____ years.
- ☒ To modify the conditions of supervision as follows:

Payment of the restitution and the special assessment is a condition of supervised release and the defendant shall satisfy the amount due in monthly installments of not less than \$25.00.

CAUSE

On June 9, 2016, Harold Young was sentenced in the Eastern District of Pennsylvania to 46 months imprisonment followed by a five-year term of supervised release after being convicted of Wire Fraud. As a special condition of supervised release, Young was ordered to pay restitution totaling \$1,049,452 in monthly installments of not less than \$1,000 per month. Young was released to the Middle District of Alabama on September 13, 2019. Jurisdiction was transferred from the Eastern District of Pennsylvania to the Middle District of Alabama on December 20, 2019.

Young reported he cannot afford the monthly restitution payments as originally ordered by the Court and has only been able to pay \$25 each month since the start of his supervision. As a result, a financial investigation was completed on Young by the probation officer. The investigation revealed that Young has an income of \$1,768.00 per month in social security benefits and a monthly outflow of \$3,443.29 (including the monthly restitution payment of \$1,000). This leaves Young with a negative monthly balance of \$1,675.29.

Based on the above information, the probation officer submits the proposed modification in order to provide Young with the opportunity to make an affordable restitution payment and remain in compliance with the conditions of

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supervision. Young signed Probation Form 49 waiving his right to a hearing and assistance of counsel and agreeing to the proposed modification. It is respectfully recommended that the conditions of supervision be modified to change the monthly restitution payment amount from \$1,000 to \$25.

Respectfully submitted,

by /s/ Seth Spooner
United States Probation Officer

Date: October 21, 2020

Reviewed and approved by: /s/ Ellen S. Traywick
Supervisory U.S. Probation Officer

THE COURT ORDERS:

- ☐ No Action.
- ☐ The Extension of Supervision as noted above.
- ☒ The Modification of Conditions as noted above.
- ☐ Other

/s/ R. Austin Huffaker, Jr.

October 22, 2020
Date